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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/652,611 | 08/30/2000 | Charles E. Cantwell | 10003898-1 | -4360 |

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Hewlett Packard Company
Intellectual Property Administration
P O Box 272400
Fort Collins, CO 80527-2400

EXAMINER

KHOSRAVAN, JIMAN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2141

DATE MAILED: 05/13/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary

Application No.

09/652,611

Applicant(s)

CANTWELL, CHARLES E.

Examiner

Jiman Khosravan

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 12-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED FINAL ACTION

Amendment

1. Receipt is acknowledged of amendment submitted February 17, 2004.
Claims 1, 8, and 15, are amended. Claims 4 and 11 are cancelled. Claims 2-3, 5-7, 9-10, 12-14, and 16-18, are original claims.
 - a). Applicant's amendment; see page 7, "Remarks," filed February 17, 2004, with respect to the "Drawings Objections" have been fully considered and are persuasive. The objections of Figures 1 and 2 have been withdrawn.
 - b). It is noted however, that on page 6 of Applicant's amendment, filed February 17, 2004, Applicant states that Figures 1-6 were submitted to replace the original sheets which include Figures 1-6. However, there are only 2 figures in the application, which are Figures 1 and 2, and only 2 figures were submitted as replacement sheets, and they were Figures 1 and 2 as well.

Specification Objections

2. The information disclosure statement filed December 5, 2003 fails to comply with 37 CFR 1.98(a), which requires a legible English copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed.

Applicant is required to submit an English translation of Document 1L (JP 11346216) or submit a new information disclosure statement omitting Document 1L, if consideration of the information disclosure statement is requested.

Claim Rejections ~ 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-10, and 12-18, are rejected under 35 U.S.C. 102(e) as being anticipated by Franklin et al. (US 2001/0023440 A1).

a). As per claims 1 and 15, Franklin discloses a method for learning the physical location of a resource in communication with a network, where the method comprises assigning to the resource a global resource locator (GRL) tag, the GRL tag including at least a description of the physical location of the resource, the description of the physical location including a coordinate system and coordinates for the resource, communication the GRL tag over the network, and

extracting the description of the physical location from the GRL tag (Fig. 1; Fig. 7;

Page 1, paragraph [0015]; Page 3, paragraph [0044]; Page 4, paragraph [0054]:

Franklin teaches assigning a resource application object for each resource over a network, where each object has the geographic position of the resource).

b). As per claim 2, Franklin further teaches storing the GRL tag on the resource (Page 2, paragraph [0020]).

c). As per claim 3, Franklin further teaches storing the GRL tag in a list of resources in a server (Fig. 3; Page 4, paragraph [0050]: Franklin stores an object tree 92 of application objects 100 in a directory service server 81).

d). As per claim 5, Franklin also teaches the GRL tag including a descriptive label of the resource in the GRL tag (Fig. 7; Page 4, paragraph [0054]).

e). As per claims 6 and 16, Franklin further teaches including applying user selected search criteria to the GRL tag (Fig. 3, Item 106; Page 1, paragraph [0015], Page 4, paragraph [0050]).

f). As per claims 7 and 17, Franklin also teaches the user a selected search criterion includes that comparison of a location of the user to the location of the resource (Fig. 3; Page 1, paragraph [0015], Page 4, paragraph [0050]).

g). As per claim 8, Franklin teaches a system for learning the physical location of a resource in communication with a network where the system

comprises a network resource, a client device, a network for providing communication between the network resource and the client device, a tag assignor configured to assign to the resource a global resource locator GRL tag including at least a description of the physical location of the resource, the description of the physical location including a coordinate system and coordinates for the resource, and executable code, accessible by the client, configured to extract the description of the physical location from the GRL tag for the client (Page 1, paragraph [0015]; Page 2, paragraph [0017]; Page 3, paragraph [0044]; Page 4, paragraph [0054]).

h). As per claim 9, Franklin further teaches the means for the tag assignor to store the GRL tag on the resource (Page 2, paragraph [0020]).

i). As per claim 10, Franklin further teaches the assignor to include a server, a list of resources stored on the server and means for storing the GRL tag in the list of resources (Fig. 3; Page 2, paragraph [0017]; Page 4, paragraph [0050]: Franklin stores an object tree 92 of application objects 100 in a directory service server 81).

j). As per claim 12, Franklin also teaches the tag assignor includes means for providing a descriptive label of the resource in the GRL tag (Fig. 7; Page 2; paragraph [0017]; Page 4, paragraph [0054]).

k). As per claim 13, Franklin further teaches executable code is further configured to apply user selected search criteria to the GRL tag (Fig. 3, Item 106; Page 1, paragraph [0015], Page 4, paragraph [0050]).

l). As per claim 14, Franklin also teaches the user a selected search criterion includes that comparison of a location of the user to the location of the resource (Fig. 3; Page 1, paragraph [0015], Page 4, paragraph [0050]).

m). As per claim 18, Franklin further teaches displaying to the user resource meeting the user selected search criteria (Page 2, paragraphs [0020]-[0027]).

Response to Arguments

5. Applicant's arguments filed February 17, 2004, with respect to the rejection(s) of claim(s) 1-18 under 35 U.S.C. § 102(e) have been fully considered but are not persuasive.

a). (A) Applicant argues that the prior art relied upon does not teach or suggest, "a coordinate system and coordinates for a resource."

b). In response to (A), the prior art teaches a directory service of resources wherein each resource has an application object which contains attributes of the resource (Franklin: Page 1, paragraph [0015]; Page 4, paragraph [0044]). The prior art further teaches where the application object contains a logical position, and

geographical identifiers (Franklin: Page 4, paragraph [0054]). By disclosing position information in the prior art, it is inherent that a coordinate system exists in the prior art such that it may access the position of the resource.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiman Khosravan whose telephone number is (703) 305-0704. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Communication via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [rupal.dharia@uspto.gov].

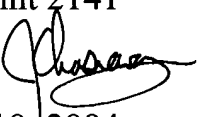
All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jiman Khosravan
Examiner
Art Unit 2141


May 10, 2004


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER